

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

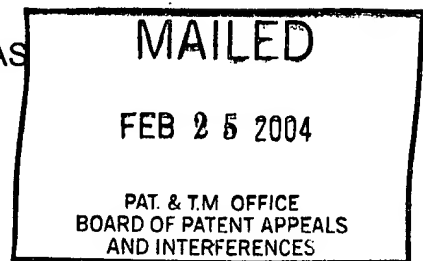
Paper No. 14

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ALEXANDER ERIK MERICAS

Appeal No. 2003-0787
Application 09/310,912¹



ORDER REMANDING TO EXAMINER

A Supplemental Information Disclosure Statement was filed on January 16, 2004 (Paper No. 13). It is not apparent from the record that the examiner considered the statement submitted nor notified applicants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

¹ Application for patent filed May 13, 1999.

Appeal No. 2003-0787
Application 09/310,912

ORDERED that the application is remanded to the Examiner for such consideration of the Supplemental Information Disclosure Statement and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

BY: 

DALE M. SHAW
Program and Resource Administrator
(703) 308-9797

DMS:sd

Appeal No. 2003-0787
Application 09/310,912

cc: Duke W. Yee
CARSTENS YEE & CAHOON LLP
P. O. Box 802334
Dallas, TX 75380